

Amendments to the Claims

1. (Currently Amended) A disposable diaper which has a substantially elongate configuration and comprises a main body having a pair of side edges, and the main body having liquid-permeable topsheet, a liquid-impermeable backsheet, a liquid-retentive absorbent member interposed between said topsheet and said backsheet and a pair of fastening tapes provided on respective side edges of said main body,

a pair of longer side portions of said diaper each being provided with an upright cuff and said pair of longer side portions further containing leg elastic members,

a waist opening portion and an under-waist portion being present in a portion of the diaper, with the under-waist portion having said fastening tapes directly attached thereto,

wherein said under-waist portion extends outwardly from each longer side of the absorbent member and includes a plurality of elastic members fixed between a sheet forming an associated one of the upright cuffs and the liquid-impermeable backsheet, wherein said elastic members are in a stretched state so as to maintain contractability when the liquid-permeable top sheet or the liquid-impermeable backsheet or said sheet forming an associated one of the upright cuffs are expanded,

the waist opening portion being provided with a continuous waist elastic member arranged in an extended state in a width direction of the diaper at least along a central extent of said waist portion and extending continuously above at least a portion of said under-waist portion elastic members, and the under-waist portion being positioned right below the waist opening portion and ~~being provided with a plurality of said~~ under-waist elastic members oriented in the

width direction of the diaper, and which are separate from the continuous waist elastic member,
and

~~a pair of longer side portions of said diaper each being provided with a sheet forming an
upright cuff and said pair of longer side portions further containing leg elastic members,~~

wherein the continuous waist elastic member and the plurality of under-waist elastic
members do not touch each other,

~~wherein said under-waist elastic members are fixedly disposed in at least areas extending
outwardly from each longer side of the absorbent member in their stretched state, while
the liquid permeable top sheet or the liquid impermeable backsheet or the sheet forming one of
the upright cuffs are expanded in a plane, so as to manifest contractibility,~~

wherein said under-waist elastic members are not disposed in at least a middle portion of
said under-waist portion where a portion of said absorbent member exists, and said under-waist
portion having said fastening tapes has a greater extension stress in a width direction of the
diaper than said waist opening portion,

~~wherein said under-waist elastic members are fixed between a sheet forming an
associated one of the upright cuffs and the liquid impermeable backsheet, and~~

wherein a portion of said diaper that is (i) at an opposite end of said diaper from said pair of
fastening tapes provided on said respective side edges of said main body, and (ii) across a crotch
portion of said diaper from said pair of fastening tapes provided on said respective side edges of said
main body, contains a second waist opening portion being provided with a continuous waist elastic
member arranged in an extended state in a width direction of the diaper, with no elastic members

linearly oriented in a width direction being arranged in a width direction end to end perpendicular to the longitudinal centerline of said diaper in a portion of the diaper extending between said crotch portion and said second waist opening portion of said diaper.

2. (Original) The disposable diaper according to claim 1, wherein said fastening tapes each have a fastening part which mechanically engages with a landing zone.

3. (Cancelled).

4. **(Currently Amended)** The disposable diaper according to claim 1, wherein each of said leg elastic members are disposed along an inwardly curved line, said under-waist elastic members are disposed in an area that is nearer to a middle of a width direction of said diaper [[,]] than respective ends of said pair of side portions with leg elastic members located in portions a ~~portion~~ of the diaper having said pair of fastening tapes provided on respective side edges of said main body.

5. **(Currently Amended)** A disposable diaper which has a substantially elongate configuration having a first end portion at one end thereof, a second end portion at a second end thereof, and a crotch portion in between said first and second end portions, and comprising a main body having a pair of side edges, and the main body having a liquid-permeable topsheet, a liquid-impermeable backsheet, a liquid-retentive absorbent member interposed between said

topsheet and said backsheet and a pair of fastening tapes provided on respective side edges of said main body,

a pair of longer side portions of said diaper being respectively provided with a pair of leg elastic members,

a waist opening portion and an under-waist portion being present on the first end portion of said diaper, with the under-waist portion having said fastening tapes directly attached thereto,

the under-waist portion being positioned directly below the waist opening portion and being provided with a plurality of under-waist elastic members oriented in a width direction of the diaper,

the waist opening portion being provided with a continuous waist elastic member separate from the plurality of under-waist elastic members and arranged in an extended state in a width direction of the diaper at least along a central extent of said waist portion and extending continuously above at least a portion of said under-waist portion elastic members, and the under-waist portion being positioned directly below the waist opening portion and being provided with a plurality of under-waist elastic members oriented in a width direction of the diaper, which are separate from the continuous waist elastic member, and

a pair of longer side portions of said diaper being respectively provided with a pair of leg elastic members,

wherein said under-waist portion extends outwardly from each longer side of the absorbent member and said under-waist elastic members are in a stretched state so as to maintain contractibility,

wherein the continuous waist elastic member and the plurality of under-waist elastic members do not touch each other,

~~wherein said under-waist elastic members are fixedly disposed in at least areas extending outwardly from each longer side of the absorbent member in their stretched state so as to manifest contractibility,~~

wherein said under-waist elastic members are not disposed in at least a middle portion of said under-waist portion where a portion of said absorbent member exists, and said under-waist portion has a greater extension stress than said waist opening portion in a width direction of the diaper than said waist opening portion, and

wherein said second end portion contains a second waist opening portion being provided with a continuous waist elastic member arranged in an extended state in a width direction of the diaper, with no elastic members linearly oriented in a width direction being arranged in a width direction end to end perpendicular to the longitudinal centerline of said diaper in a portion of the diaper extending between said crotch portion and said second waist opening portion of said diaper.

6. (Previously Presented) The disposable diaper according to claim 5, wherein said fastening tapes each have a fastening part which mechanically engages with a landing zone.

7. (Previously Presented) The disposable diaper according to claim 5, wherein said under-waist elastic members are fixed between sheets making up said main body.

8. **(Currently Amended)** The disposable diaper according to claim 7, wherein each of said pair of leg elastic members are disposed along an inwardly curved line, said under-waist elastic members are disposed in an area nearer to a middle of a width direction of said diaper [[,]] than respective ends of said pair of leg elastic members located in portions ~~a portion~~ of the diaper having said pair of fastening tapes provided on respective side edges of said main body.